

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-65680-2/RFT/RMS/DAV

Disciplined Classification of this Application:

Class: Subclass:

Priority Application

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL

NUMBER EI 117 282 997 US

DATE OF DEPOSIT October 27, 1998

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME Geody Domingo

SIGNED *Geody Domingo*

Box PATENT APPLICATION FEE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

- ☐ Original
☐ Continuation
☒ Divisional
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Thomas Haaf, et al.

(Names of ALL Applicants)

for METHODS AND COMPOSITIONS UTILIZING RAD51

(Title of Invention)

This ☐ continuation ☒ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/007,020 filed on January 14, 1998, Serial No. 60/035,834 filed on January 30, 1997 and application Serial No. 60/045,668 filed on May 6, 1997.

1. Enclosed is a
(a) ☐ new application.
(b) ☐ Enclosed is a continuation-in-part application.
(c) ☒ Enclosed is a copy of the prior application.

2. (a) ☐ Enclosed is a new Declaration.
 (b) ☒ Enclosed is a copy of the prior Declaration as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
 (b) ☒ A Small Entity Affidavit is of record in the prior application.
4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE FEE	OTHER THAN SMALL ENTITY RATE FEE
BASIC FEE			\$395	\$790
TOTAL CLAIMS	<u>5</u> - 20 =	0	x 11 = \$	x 22 = \$
INDEP CLAIMS	<u>2</u> - 3 =	0	x 41 = \$	x 82 = \$
MULTIPLE DEPENDENT CLAIM PRESENTED			+135 = \$135	+270 = \$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL \$530	TOTAL \$

5. ☒ The Commissioner is authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to our Deposit Account.
6. ☒ A check in the amount of \$530.00 is enclosed
7. ☒ Cancel in this application original claims 1-17, 22-46 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by inserting before the first line the sentence:

--This is a ☐ continuation ☒ divisional ☐ continuation-in-part
 of application Serial No. 09/007,020 filed January 14, 1998 --

9. (a) ☒ Informal drawings are enclosed. **8 SHEETS**
 (b) ☐ Formal drawings are enclosed.
10. (a) ☐ Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.
 (b) ☐ The certified copy has been filed in prior application Serial No. filed on .
11. ☒ The prior application is assigned of record to Yale University
12. ☐ The power of attorney in the prior application is to:
 FLEHR HOHBACH TEST
 ALBRITTON & HERBERT LLP
 4 Embarcadero Center, Suite 3400
 San Francisco, CA 94111

- (a)___ The power appears in the original papers in the prior application.
(b)X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
(c)___ A new power has been executed and is enclosed.

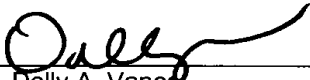
(d)___ Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989
Attn: Richard F. Trecartin

13. X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. X I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/007,020 as originally filed on January 14, 1998.

Date: October 27, 1998

Signature: _____


Dolly A. Vance
Reg. No. 39,054

Address of Signer:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
4 Embarcadero Center, Suite 3400
San Francisco, CA 94111

Attorney or agent of record

XX

Filed under Section 1.34(a)